

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN STATE TREASURER,

Plaintiff,

Case No. 1:06-cv-731

v.

Honorable Robert Holmes Bell

RANDALL DELLINGER et al.,

Defendants.

ORDER OF REMAND

In accordance with the memorandum opinion filed this date:

IT IS ORDERED that defendant Dellinger's objections to the report and recommendation of the magistrate judge (docket # 7) be and hereby are OVERRULED and that the report and recommendation (docket # 6) is ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED that this matter be and hereby is REMANDED to the Kalkaska County Circuit Court for all further proceedings pursuant to 28 U.S.C. § 1447(c), the court finding that the case was removed improvidently and without jurisdiction.

Date: November 14, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE